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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|---------------------------|---|---------------------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 09-00930 EJD |
| Plaintiff, |) | STIPULATION AND [PROPOSED] |
| v. |) | ORDER CONTINUING HEARING DATE |
| MYRA HOLMES, |) | |
| Defendant. |) | |

This matter is currently set for a status conference on August 20, 2012. In light of recent discussions between the parties as well as scheduling issues, the parties now jointly request that this matter be continued a week until August 27, 2012.

In light of the above, the parties agree, and the Court finds and holds, as follows:

1. The current August 20, 2012 hearing date is hereby vacated.
2. This matter is set for a status conference on August 27, 2012, at 1:30 p.m.
3. The time between August 20, 2012 and August 27, 2012 is excluded under the Speedy Trial Act. The parties agree that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking

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1 into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv). The parties agree
2 that the ends of justice served by granting the requested continuance outweigh the best interest of
3 the public and the defendant in a speedy trial and in the prompt disposition of criminal cases.
4 See 18 U.S.C. § 3161(h)(8)(A).

5
6 SO STIPULATED:

7 DATED: 8/1/12

/s/
MANUEL ARAUJO
Assistant Federal Public Defender

9
10 DATED: 8/1/12

/s/
JOSEPH FAZIOLI
Assistant United States Attorney

11
12 IT IS SO ORDERED.

13 DATED: August 2, 2012


EDWARD J. DAVILA
UNITED STATES DISTRICT JUDGE